

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	Criminal No. 1:CR-01-195-06
	:	
v.	:	(Judge Caldwell)
	:	
	:	
HARVEY HOLLAND	:	(Electronically Filed)

MOTION FOR WITHDRAWAL OF COUNSEL

AND NOW, comes Gregory Barton Abeln Esquire, court-appointed counsel for Harvey Holland, and who files this Motion for Withdrawal of Counsel, and in support thereof, the following is averred:

1. On February 17, 2005, counsel for petitioner was requested by the Federal Public Defender's Office to represent him in §2255 petition.
2. On December 7, 2005, the Honorable William W. Caldwell denied the Defendant's petition with opinion.
3. On December 14, 2005, Petitioner asked that Counsel forward to him all legal papers.
4. On December 15, 2005, Petitioner filed a *pro se* Notice of Appeal.
5. On December 22, 2005, it appearing that no order had been entered appointing counsel, a CJA-20 appointment of the undersigned counsel was filed *nunc pro tunc*.
6. On December 27, 2005, counsel submitted CJA-20 form for financial reimbursement.
7. On January 13, 2006, the court received the petitioner's Motion for *In Forma Pauperis* status.
8. Counsel for petitioner now believes his services are no longer needed.

9. The Government concurs with the granting of this motion wherefore, it is respectfully requested that this Honorable Court grant the undersigned counsel's Withdraw of Counsel.

Respectfully submitted,
ABELN LAW OFFICES

January 16, 2006
Date

/s/ Gregory Barton Abeln
Gregory Barton Abeln, Esquire
Atty. ID# 35960
37 E. Pomfret Street
Carlisle, PA 17013
717/245-2851
E-Mail: abelnlaw@earthlink.net

CERTIFICATE OF CONCURRENCE

I, Gregory Barton Abeln, Esquire, hereby certify that on January 13, 2006, I contacted AUSA William Behe who stated that the government would concur in the foregoing Motion for Withdrawal of Counsel.

January 16, 2006
Date

/s/ Gregory Barton Abeln
Gregory Barton Abeln, Esquire

CERTIFICATE OF SERVICE

I, Shelly Sydnor, do hereby certify that on this date I served a copy of the **MOTION FOR WITHDRAW OF COUNSEL**, via Electronic Case Filing, or by placing a copy in the United States mail, first class, addressed to the following:

AUSA William Behe, Esquire
Assistant U.S. Attorney
228 Walnut Street
Harrisburg, PA 17108

AND

Harvey Holland
EP-8162
SCI – Dallas
1000 Follies Road
Dallas, PA 18612

Respectfully submitted,
ABELN LAW OFFICES

January 16, 2006
Date

/s/ Shelly Sydnor
Shelly Sydnor,
Legal Assistant
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